

22 April 1988

SUBJECT: Status of the Shoreline Management Regulation

1. On 14 April 1988, OMB approved the publication of the proposed Shoreline Management regulation in the Federal Register requesting comments from the public. The schedule for the Shoreline Management regulation is:

Mid May 1988 - Send letters of instruction to Divisions/Districts

8 June 1988 - Publish proposed regulation in the Federal Register for public comment.

22 July 1988 - Comment period closes

January 1989 - Publish the final regulation in the Federal Register.

2. Highlights of the regulation are:

a. The regulation and the fee schedule will be published separately. The fee schedule is under review at OASA(CW).

b. The name "Lakeshore" is changed to "Shoreline" Management. Addresses all shorelines, lakes or rivers, where the Corps holds fee simple title to the shoreline.

c. The emphasis on community docks is reduced.

d. Requires each project Shoreline Management Plan to include a procedure for review of activities requested but not specifically addressed by the Shoreline Management Plan. The intent is to have the decision on out-of-the-ordinary requests made at the district rather than at HQUSACE or by the Assistant Secretary.

e. Requires the periodic review of Shoreline Management plans to determine the need for update. When changes are needed, the plan will formally be updated through the public participation process.

f. Incorporates the requirements of Section 6 of PL 97-140 and Section 1134(d) of PL 99-662.

g. Requires a map of sufficient size and scale to clearly display the shoreline allocation be conspicuously displayed in the project administration office. It will serve as the authoritative reference.

h. Provides more detailed guidance on how to measure density of development.

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- i. Increases the emphasis on electrical service and equipment/facility safety.
- j. Includes more detailed guidance on the issuance of vegetation modification permits.

3. The letter going to Divisions/Districts in mid May 1988 will include:

- a. A copy of the draft regulation which will be published in the Federal Register.
- b. A copy of the letter ASA(CW) will send to eight Senators and Congressmen along with a list of the addressees.
- c. A series of anticipated questions, with answers, on the Shoreline Management regulation. These were developed so we can be consistent with our answers when responding to public inquiries.
- d. A draft news release for Division/District/Project use.
- e. Instructions to help make the public aware of the publication of the proposed regulation in the Federal Register and how the public may comment.
- f. Instructions to prepare letters, similar to the one sent by ASA(CW), to other Senators and Congressmen as appropriate. These letters will be embargoed until you are electronically notified that they may be released. Their release should coincide with publication in the Federal Register.

4. This Shoreline Management regulation is not expected to be controversial. However, this program has always commanded high public interest. As such, plans have been developed for a task force of FOA personnel to assist with the analysis of the comments received and the subsequent revision of the regulation in response to those comments. A message requesting nominations will be dispatched on or about 27 April 1988 with a suspense of 20 May 1988.